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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,610	12/26/2001	Arei Kobayashi	011736	4491

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EXAMINER

NGUYEN BA, PAUL H

ART UNIT PAPER NUMBER

2176

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/025,610

Applicant(s)

KOBAYASHI ET AL.

Examiner

Paul Nguyen-Ba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/18/2005 has been entered.
2. Claims 1-8 have been considered. Claims 1 and 5 are independent claims.

### ***Priority***

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murashita, U.S. Patent No. 6,330,574, in view of Dean et al. ("Dean"), U.S. Patent No. 2002/0152244, in further view of Bruce Martin and Bashar Jano, WAP Binary XML Content Format, W3C Note, June 24, 1999 ("W3C").

**Regarding independent claim 1, Murashita discloses:**

*A method for code processing of document data* (see Abstract) comprising the steps of:

*encoding a document data written in a description language of an extensible text format to a code data (...) (see Title and col. 14, lines 46-54 → encodes and compresses extensible text format to code data), based on a translation table (see col. 15, lines 26-38 et seq. → i.e. "tag code table") (...); and*

*processing said code data as said document data based on said translation table (see col. 16, lines 62-65 et seq.);*

*said translation table defining a code length and a code assigned to items of an element name (see col. 4, lines 51-56; col. 21, lines 53 et seq.), (...).*

Murashita does not explicitly disclose:

*...a translation table written in a description language of an extensible text format.*

However, Dean discloses:

*...a translation table written in a description language of an extensible text format (see para [0157] → i.e. "lookup table").*

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Since the references are from the same field of endeavor (namely XML encoding), the motivational purpose of using XML on networks such as the World Wide Web and the ability to publish documents for different device types such as computers, PDAs, cell phones and print (see para [0004]) as disclosed by Dean would have been recognized in the pertinent art of Murashita. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Murashita with the teachings of Dean.

Murashita does not explicitly disclose:

*...a variable-declaration data type of an element value for said element name, an attribute name designated in said element name, a variable-declaration data type of an attribute value for said attribute name, based on logical structure of elements, and defining a code length and a code assigned to designate parentage structure between one element name and other element name.*

However, W3C discloses:

*said translation table (see pg. 9 – 3<sup>rd</sup> paragraph et seq. → i.e. “code pages”) defining a code length and a code (see bottom of pg. 10 et seq.) assigned to items of an element name, a [variable-declaration data type of] an element value for said element name (see pg. 7 – 1<sup>st</sup> paragraph and pg. 15), an attribute name designated in said element name, a [variable-declaration data type of] an attribute value for said attribute name, [based on logical structure of elements] (see pg. 11), and defining a code length and a code assigned to designate parentage structure between one element name and other element name (see pg. 16 – 1<sup>st</sup> paragraph; further evidenced by Gatz et al. → see [0015], [0049], [0059]; Duliba et al. → col. 23 lines 13-65; and Tenev et al.) (see also examples on pgs. 18-22).*

Since the references are from the same field of endeavor, the motivational purpose of defining a compact binary representation of XML to reduce the transmission size of XML documents while allowing more effective use of XML data on narrowband communication channels with no loss of functionality or semantic information (see pg. 2 –1<sup>st</sup> paragraph) as disclosed by W3C would have been recognized in the pertinent art of Murashita.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the teaching of Murashita with the teachings of W3C.

**Regarding claim 2, Murashita discloses:**

*...wherein said items defined in said translation table used in said processing step are a subset of said items defined in said translation table used in said encoding step (see Murashita col. 17, lines 1-12; col. 23, lines 60-67 → the items defined in the processing step are a set whose members are members of the encoding step set).*

**Regarding claim 3, Murashita discloses:**

*...wherein said encoding step encodes only the items that are defined in said translation table (see Murashita col. 3, lines 25-33. The system processes the code defined in the document instance on the basis of the tag code table (i.e. translation table’’)).*

**Regarding claim 4, Murashita discloses:**

*...wherein said encoding step includes adding of an occupancy data which indicates a length occupied by said item to a code indicating said item, and wherein said processing step decodes from said code data of a position that skips said occupancy data length of said code, in case that said code not defined in said*

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*translation table exists in said code data, without processing said code (see Murashita col. 23, lines 1-4; col. 24, lines 18-67 et seq., and col. 30 lines 10-47).*

**Regarding independent claim 5**, please refer to the rationale relied upon to reject independent claim 1.

**Regarding claim 6**, please refer to the rationale relied upon to reject claim 2.

**Regarding claim 7**, please refer to the rationale relied upon to reject claim 3.

**Regarding claim 8**, please refer to the rationale relied upon to reject claim 4.

#### ***Response to Arguments***

6. Applicant's outstanding arguments, which are substantially directed toward the amended subject matter, filed on 8/18/2005 have been considered but are moot in view of the new ground(s) of rejection.

In regards to Applicant's contention that the combination of Murashita and Dean is not obvious, Examiner respectfully disagrees. Since the references are from the same field of endeavor (namely XML encoding), the motivational purpose of using XML on networks such as the World Wide Web and the ability to publish documents for different device types such as

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computers, PDAs, cell phones and print (see para [0004]) as disclosed by Dean would have been recognized in the pertinent art of Murashita in the opinion of the Examiner.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Nguyen-Ba whose telephone number is (571) 272-4094. The examiner can normally be reached on 11 am - 7 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PNB

*William S. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
*10/30/2005*